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February 5, 2004

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Mr. Glenn A. Fine, Inspector General
Office of Inspector General
United States Department of Justice
950 Pennsylvania Avenue, NW, Suite 4322
Washington, DC 20530-0001

Dear Mr. Fine:

I write to bring to your attention Justice Department (DOJ) actions that I believe show a reckless disregard for national security. I am enclosing a January 30 letter I received from the Central Intelligence Agency (CIA) that I find shocking. The letter details repeated requests by the CIA for a DOJ investigation into disclosure of the identity of a CIA employee operating under cover and the Department apparently repeatedly ignoring such requests.

As you are aware, according to numerous published accounts, two White House aides called six reporters and revealed that Ambassador Joseph Wilson's wife's occupation as an undercover CIA operative. Because Ambassador Wilson had provided information that cast doubt on President Bush's State of the Union Address claim that Iraq had attempted to buy uranium from Niger (the White House has since acknowledged that this claim was false and should not have been included in the Address), these White House aides were reportedly motivated by "revenge." This action was not only unethical and improper, it was also illegal under 50 USC 421(a).

Such a leak could not be more serious. The backbone of our intelligence gathering capabilities and our war on terrorism is human intelligence, the ability to infiltrate and gather information about those that would do us harm. Leaking the identity of one of our operatives not only puts her life at risk, but also the lives of operatives and informants who associate with her. Moreover, it forfeits future information an operative and her associates may have acquired had her cover not been blown.

One would think that the Department of Justice would have taken this matter seriously, but the opposite appears to be true: either as a result of sheer incompetence or a partisan desire to

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protect high ranking officials who committed criminal acts, the DOJ ignored the CIA's entreaties to investigate the matter. Specifically:

- (1) On July 24, the CIA left the Justice Department a phone message noting concern with reports revealing the operative's identity. The CIA's January 30 letter to me makes no mention of any DOJ response to this call.
- (2) On July 30, the CIA wrote to DOJ reporting possible criminal violations in this matter and indicating that the CIA's Office of Security had opened their own investigation. Again, the CIA's January 30 letter to me makes no mention of any DOJ response to this letter.
- (3) On September 5, the same letter was sent by the CIA to DOJ by fax. Again, the CIA's January letter makes no mention of any DOJ response.
- (4) On September 16, the CIA again sent a letter to DOJ, providing the results of the CIA's investigation and requesting that the FBI undertake a criminal investigation of the matter. On September 29, the DOJ finally responds to the CIA indicating that it has asked FBI to investigate.

A legitimate explanation for the DOJ taking over two months to open an investigation of such a serious matter is unimaginable. Regardless, whether this delay was the result of partisan foot dragging or incompetence, it warrants an inquiry by your office. The American people count on the Department to assure the integrity of our government and the safety of our nation and, in this matter, the Department appears to have fallen far short of that expectation.

If you have any questions about this request, please contact Perry Apfelbaum or Ted Kalo of my Judiciary Committee staff by mail (2142 Rayburn H.O.B., Washington, D.C. 20515), by telephone (202-225-6504); or, by fax (202-225-4423).

Sincerely,



John Conyers, Jr.
Ranking Member